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ABSTRACT

Social change and the ideas, feelings, and hopes of man which lead to the development of his institutions are the major focus of the eleventh grade FICSS series (Focus on Inner City Social Studies -- see SO 008 271). The units examine how the forces of stability and change culminated in the creation of the major historical documents which are the foundation of America's life style. The unit is presented in a case study format beginning with the causes of the American Revolution, The Declaration of Independence, the Constitution, and Prohibition. The content of the unit includes an introduction; essential source materials needed to teach the unit; learning, behavioral, and skill objectives; content activities; and a supplementary resource list for students and teachers. (Author/JR)

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STABILITY AND CHANGE: AN AMERICAN LIFE STYLE

Grade Eleven, Unit One

II.I

according to the
"Comprehensive Social Studies Curriculum for the Inner City"
as developed by

Project FICSS
(Focus on Inner City Social Studies)
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MINIMUM ESSENTIAL MATERIALS (11.1)

	PUPIL	TEACHER	COST
Larabee, Benjamin W. Road to Independence: 1763-1776 Harvard Social Studies Project, MacMillan, 1964	6		$1.80
Jensen, Merrill, The Founding of a Nation " " "	6		1.80
Broderick, Francis L., The Origins of the Constitution " "	6		1.80
Brenton, Crane, The Anatomy of Revolution, New York, Vintage Books, 1957.	6	1	8.75
Current, Richard, De Conte, Alex, and Dante, Harris. United States History, Glenview, Illinois: Scott Foresman Company, 1967.	2		14.40
Feder, Bernard, Viewpoints, U.S.A. American Book Company, 1967.	2		
Fenton, Edwin, Ed. A New History of the United States, Holt, Rinehart, and Winston, Inc., 1969.	2		
Furnas, J.C. The Life and Times of the Late Demon Rum, New York, B.P. Putnam Sons.	2		
Sinclair, Andrew Prohibition: The Era of Excess, Boston: Little, Brown, and Company, 1962.	2		17.90
McDonald, Forrest, ed. Confederation and Constitution	5		11.25
Cunliffe, Marcus, The Nation Takes Shape. Chicago History of America Chicago Press	2		3.90
George E. Mowry. ed. The Twenties, Fords, Flappers, and Fanatics, Spectrum	2		3.90
RECORDING The Invention of the Presidency, American Heritage Series	1		5.00

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INTRODUCTION TO THE ELEVENTH GRADE CURRICULUM

The emphasis in social studies rightfully belongs on people. While in the tenth grade pupils studied the economic and political institutions which structure the dimensions of man's existence, the eleventh grade is more integrally concerned with the ideas, feelings, and hopes of man which lead to the development of his institutions.

The major question to be investigated in the eleventh grade units is "How do the forces of stability and change interact in American life?" This is the same, in part, as asking, if I do something to you, what will you do to me and under what conditions. How much stability does man need; how much change can he stand; how long will anachronisms continue to live while their functions have died; how long will those with vested interests be able to dominate political and social decisions to their own belief and to the detriment of the greater part of mankind? The eleventh grade is a study of these human forces which impeded or gave rise to the creation of new forces, some of which were set forth in enduring documents. And were the documents not also a force: What was the action and reaction to them?

The focus continues to be on people and the way they seek to achieve their ends, to fulfill their needs. What are the ways in which man can grease or brake the wheels of change? Some of them are peaceful while others are violent. How do other people react to the utilization of these various kinds of strategies for change?

And what is the effect of media on the change process? Do media report or make news, can they be considered as an accurate source of information? What are the biases which are likely to be found in the media? Why? Are there alternatives?

At a time when young and not so young are impatient with creeping progress, with faltering attempts to bridge the gap from the democratic ideal to the democratic reality, it is appropriate that students examine the system as it is designed. In this way, they will be better able to find meaningful paths to change. They will be able to consider the alternatives to working within the system and the consequences to themselves and to the development of a humane society.

Specifically, the units of this grade are:

11.1 Stability and Change: An American Life Style
11.2 Stability and Change Through Ideas and Non-Violent Action
11.3 The Harvest of Violence
11.4 The Role of Media in Stability and Change

The first unit of grade eleven focuses on the forces of stability and change which culminated in the creation of the major documents which are the foundation of a uniquely American life-style. What human forces created those documents? What was the dream of their creators? From the struggles entered into by our founding fathers, can we

gain insight into the basic nature of man? Can we really begin to understand purselves with our need for security, with our ideals for justice, and with our delight with privilege? A study of the forces of stability a nd change is in effect a miniature study of man himself.

The events leading up to the Declaration of Independence are classic in revealing man's struggle against a tyrannical government. Inherent in this struggle is the principle of man's right to be governed with his consent. Eloquently one sees unfolding the dream of a government which seeks to serve its subjects as they search for a share of happiness.

The Articles of Confederation illustrate early attempts to design a government too weak to oppress. The document is a reaction to tyranny. But an emasculated government is not a sufficient agent to promote the public welfare. Having learned from this period of confusion, the people were ready to frame a stronger central government spelled out in the Constitution.

Still remembering painful lessons learned under an all powerful King, the people demanded that the powers of government be delineated and limited. Thus was born the Bill of Rights. The Americans demanded guarantees that their new government would not abridge their rights.

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But no document can remain effective without periodic modification. The last section of this unit considers the forces which led to stability and change which culminated in the passage and eventual repeal of the Eighteenth Amendment (Prohibition). This is an excellent case study to show the forces which can be mobilized for change, change which the majority may not even want, change which proves more evil than that which was to be corrected. And can our government enforce an unpopular law?

These are the parameters of the first unit of the eleventh grade, Stability and Change: An American Life-Style.

KNOWLEDGE

The pupil will know that:

1. Great Britain enacted many laws which placed the colonists at economic and political disadvantages.
2. The reaction to unpopular laws varied from complacency to militant opposition.
3. Reaction to unpopular laws included rhetoric, political writing, smuggling, vandalism, boycott, and mutual defense groups.
4. The names of and substance of some of the unpopular laws. (See Content, Section I)
5. In spite of the unpopular laws enacted by Great Britain, most colonists remained loyal to the Crown.
6. In part, the desire to remain loyal to England was fostered by an unwillingness to go to war, a belief in the military weakness of the colonies, and a recognition that people might lose the little they had gained in their new land.
7. The principal grievances of the colonists were:
   a. The presence of the military without consent of the people.
   b. Military supremacy over civilian authority.
   c. The force quartering of troops.
   d. Deprivation of access to waterways.
   e. Taxation without counsel.
   f. Denial of trial by jury.
   g. Revoking of charters
   h. Dissolutionof colonial governments by Crown.
   i. Suspending of colonial legislatures.
   j. Waging war against the colonies.
   k. Refusal to accept Petitions for Redress.
   l. Rule by tyrants.
8. The basic political theory expressed in the Declaration included:
   a. Government by consent of the governed.
   b. Right of people to overthrow unjust rule.
   c. Purpose of government is to permit the pursuit of happiness and to protect life and liberty of the individual.
9. The Articles of Confederation provided a rather weak central government which was governed by a Congress consisting of one representative from each state.
10. The agreement to confederate involved the surrendering of individual rights of states in order to seek a common welfare.
11. The Confederation had some basic weaknesses.
    a. There was no chief executive under the Articles of Confederation.
    b. Taxation was not enforceable.
    c. All states had to agree before articles could be changed.
12. One of the major principles of the constitution was that no segment of the nation should be able to tyrannize another.

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KNOWLEDGE
The pupil will know that:

13. The Constitution allowed for change by majority, for taxation and a President.
14. States sought to preserve their own privileges and prominence and, only in the end, were they willing to sacrifice for the common good.
15. Owning property was the mark of a voting citizen, thus representing the forces of stability, the "aristocracy."
16. Many of the states were unwilling tosign the Constitution without guerantees that the Bill of Rights would be written and attached.
17. The guarantees of the Bill of Rights. (See Committee D, Section II)
18. The conditions which created the climate enabling Prohibition. (See Committee E, Sections IA and B)
19. The WCTU and the Anti-Saloon League focused attention upon the "evils of alcohol."
20. The social forces anti-liquor became translated into political forces through the lobbying of the Anti-Saloon League.
21. Demonstrations which often led to arrests were employed as a means of dramatizing the problem and drawing attention to it.
22. Through effective politicallization, through the election of "dry candidates", through social persuasion through the press, through speakers in churches, the drys mobilized their campaign.
23. The drys further capitalized upon economic motives of employers to reduce absenteeism, religious motives, political motives, medical motives, patriotic motives, anti-German motives to promote their ends.
24. The buying of news space, influencing campaigns, and the formation of secret political organizations by some wet brewers, many tactics formerly used by the drys, were revealed in such a way as to create a public surge of emotional will to bring on prohibition.
25. Resistance to this unpopular law took the form of smuggling, Congressional underfunding, bribing, home brewing, corruption...
26. Respectable people were among the customers of the boot leggers.
27. Illegal activities of all kind increased during the era.
28. Many forces combined to cause the repeal of the Eighteenth Amendment. (See Committee E, Section VIII).

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SKILLS
The pupil will be able to:

1. Tell how the grievances of the colonists are relevant to principles of government today.
2. List a variety of conditions which he would feel so unbearable that he would have to protest against the government or leave the country.
3. Explain how some people feel their right free speech was jeopardized by the rhetoric of Vice President Agnew and other current forces of stability.
4. Identify policies and acts of the U.S. government which have been protested in recent news articles and in public demonstrations.

ATTITUDES
The pupil will:

1. Believe that the government of the U.S. is amenable to modifications as a result of the exercise of power by the people.
2. Believe change involves winning people over to his point of view as evidenced by his attempts to do so within his group and the class.
3. Believe that political change is sometimes brought about by parliamentary maneuvering as evidenced by his ability to do so in class and/or committee meetings, or to identify such actions.

BEHAVIORS
The pupil will:

1. Respect the basic rights of others.
2. Encourage adults to vote in elections.
3. Encourage adults to study their decisions and candidates before voting.
4. Read widely to be informed about current efforts in both maintaining and modifying our government.

STRATEGY	LEARNING ACTIVITIES
1. Introductory Activities	This unit and those which follow for the eleventh grade are presented in a case study format. For this reason it is important that the idea of the them STABILITY AND CHANGE be introduced first at the beginning of the year's study. The illustrative case studies units 11.1, 11.2, and 11.3 are examples of opposing ideas and forces in American life. They are drawn from both historic and comtemporary sources.

CONCEPT OF STABILITY AND CHANGE

The following activities are designed to introduce the concept of the interrelation of forces of change with those of stability. They are designed to provoke questions about the process of getting change or preventing it. Such questions can be investigated in part through the case studies.

1. Plan a sociodrama involving several class members. One group may be high school students who are trying to get a change in the school dress code (or any other currently controversial rule); another group can be parents who oppose the change advocated by their children; and the third group may represent the principals and counselors who have to help all groups arrive at a decision. Give the groups several days to formulate their opinions so that the drama will be representative. Following this role play, the teacher may lead the discussion by raising the following questions:
   a. What forces are seen to operate in this role play?
   b. How do you feel about people who want to change things?
   c. What were some of major changes which made American history?
   d. What questions would you have about people and these changes?
2. Ask a group of students to make a list of the most "far out" changes they can imagine that could be made in this class room. Have them present their ideas to the teacher who will react to them as conservatively as possible.
   Follow a line of questioning similar to 1 above.
3. Have some students cut pictures from newspapers and magazines which illustrate widely different life styles; hippie communes, psychedelic art, hard rock music, current youth styles of clothing, etc. Then have them find opposite or "square" versions of each; crew cut men in business suits, ladies with beauty-parlor-styled hair and conventional clothes, Lawrence Welk music, and anything else they can find to illustrate the extremes in life styles. Make a display of the pictures all around the room.

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STRATEGY	LEARNING ACTIVITIES
1. Introductory Activities (continued)	4. Elaborate on the previous suggestion by having several students become the types of people who illustrate the extremes. Let them dress, talk, and act like prototypes. Have them play records of their kind of music, display pictures which appeal to them, etc. a. The portrayal of the "generation gap" in life style may be used to suggest such questions to be proposed: (1) What feeling do people have about their own way of doing things? (2) Why do we want change? (3) How do various people go about getting change? (4) How can people operate to prevent or slow change? 5. Show a film (with the sound turned off) which was made in the 40's or 50's which shows the problems of the times, the attitudes of people then, and the way they approached solutions. The questions then can be stimulated by asking whether the problems and solutions of other decades are those of today, and how today's problems and solutions differ. It is suggested that at least a day be devoted to consideration of the concept of Stability and Change. As many questions as possible about the process should be generated. and more will be generated after more specific introduction to the case studies of the units. In order that the students may structure their own study of the unit, the following introductory activities are suggested to stimulate questioning about the specific cases in the unit. Declaration of Independence 1. The best possible introduction would be for the class to see the play 1776. At the present time the play is still first-rune and the book is not available to the public. It is hoped that future users of this unit will be able to get a copy of the script or that portions of it may be filmed. The final scene, the signing of the Declaration, is suggested as a reading or film. 2. The painting of the signing of the Declaration of Independence may be displayed with the caption TRAITORS--and an alternate caption PATRIOTS available to substitute. A student may be assigned in advance the role of George the III, and he may be asked to present a few arguments for the idea that the signers are traitors. Similarly, a Thomas Jefferson may be selected in advance and asked to justify the title "patriots".

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STRATEGY	LEARNING ACTIVITIES
1. Introductory Activities (continued)	3. Phrases or paraphrased parts of the Declaration may be lettered on chart paper or put on the chalkboard with colored chalk: a. ALL MEN ARE CREATED EQUAL b. MEN HAVE THE RIGHT TO LIFE, LIBERTY, AND TO SEEK HAPPINESS c. WHEN A GOVERNMENT DESTROYS THESE RIGHTS, THE PEOPLE HAVE THE RIGHT TO CHANGE THE GOVERNMENT OR GET RID OF IT ENTIRELY. d. IT IS NOT INTELLIGENT TO CHANGE FORMS OF GOVERNMENT FOR MINOR CAUSES. e. MOST MEN WILL PUT UP WITH SUFFERING FOR A LONG TIME RATHER THAN DO AWAY WITH A GOVERNMENT THEY ARE USED TO. Articles of Confederation: 1. Put up a picture of a King (George III would be best) or of a dictator and have a student introduce the mood of the country after the Revolution by portraying an American Revolutionary soldier expressing the fear of a strong ruler in the new country. Let him talk a lot about states rights. (Give this actor several days to get his part ready). 2. Collect pictures and quotations about states rights and display them around the room to show that this is still an important issue. 3. Put up cards or signs with these paraphrased quotations from the Articles. Suggest that the class consider how they represent the Americans' reaction to the evils of the British government from which they had just won their freedom: a. IN THE NEW GOVERNMENT EVERY STATE WILL HAVE ONE VOTE--ALL WILL BE EQUAL. b. THE NEW UNION WILL BE PERPETUAL--NO CHANGE WILL BE MADE UNLESS EVERY STATE AGREES TO THE CHANGE. c. EACH STATE KEEPS ITS SUPREMACY, ITS FREEDOM AND ITS INDEPENDENCE. d. THIS GOVERNMENT WILL BE A LEAGUE OF FRIENDSHIP BETWEEN STATES. e. ALL EXPENSES OF THE UNION WILL BE PAID FROM A FUND WHICH WILL BE RAISED BY THE VARIOUS STATE GOVERNMENTS AS THEY SEE FIT. Constitution and Bill of Rights This section should be studied after the Articles of Confederation in order to emphasize the major concept of the study, STABILITY and CHANGE. The Constitution can be seen to have elements of reaction to the unsatisfactory style of government provided in the Articles. It will be important to bring out the reactions:

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STRATEGY	LEARNING ACTIVITIES
1. Introductory Activities (continued)	To government as a union of friendship between independent states--the principle of federal government. To the consideration of the equality of all states--the principle of proportional representation. To the failure to provide for executive and judicial structure--the offices of President and Supreme Court (or Federal court system) To introduce the Constitution as change: 1. If the study follows sequentially after consideration of the Articles, list on a transparency some of the major features of the Articles and have students prepared to discuss in a few remarks how each feature worked..whether it was successful. 2. Let several members of the class portray Congressmen from states with ideas that are different about specific issues. Let them briefly argue the issue, vote, and be unable to reach any decision because of the voting requirements of the Articles. 3. Write a few provocative questions which were confronted by the framers of the Constitution--Who shall have power? How shall power be controlled? Who shall vote? How shall rules be enforced? and others. Put the questions up for consideration. 4. Present the following skit about the "rights" of Americans. SKIPPIE AND THE CROWD SKIPPIE (A skipping hippie)--What the world needs, man's love, let's all skip around and dance together (What the world needs now is love, sweet love--or some other song lead by Skippie) Hey guy, don't just sit there, throw your arms around your babe. Show her you love her. Now all we need is a swinging president who'll outlaw arguing and in-law smooching. POLICEMEN: Okay, bud, you're under arrest. SKIPPIE: Cool it man, what for? POLICEMEN: We don't need any reasons. You're under arrest. WOMAN: That's the way, officers. He shouldn't be allowed to say those things. Throw him in jail. SKIPPIE: Hey, man, you can't do that. I got my rights. POLICEMEN: What rights? Who says so? SKIPPIE: Why, its'...Ugh, I think they're written somewhere.

1. Introductory Activities (continued)

MAN #1: Don't listen to him. Take him away.
MAN #2: And throw away the key.
POLICEMEN: Okay spectators, you'd better leave now or we'll haul you in, too.
YOUTH #1: You can't do that; we have a right to stay here and discuss anything we want.
POLICEMEN: Who says you have any rights at all. Leave or you'll be the next one to come with us.

END

(It is most probable that the teacher or some creative pupils can write a better skit. If so, be our guest. In any event, even this modest attempt may be helpful in getting the class to consider questions which they would like to pose about such a situation.)

The Study of Prohibition and Repeal (18th and 21st Amendment)

1. This case is, of course, analogous to the current consideration of the prohibition of narcotics and other drugs. It might be introduced by displaying news articles, pictures, etc., about the current problems of drug abuse, most particularly, by references to conviction and imprisonment of those involved in drug trade, and by stories of police or judicial corruption as a result of that trade.

2. Have a group of students portray alcoholics (or addicts) and defend their right to do what they want to do to their bodies. If youwish, have a student convey reaction, that will start thinking...on the other hand, it may be more desireable to have the whole group react.

3. Display pictures and articles from the prohibition era (use one of the pictoral histories). Be sure to include some pictures of Al Capone and other "gangsters".

4. Try to get some publicity releases for the Eliot Ness series about that era. Or show a film or filmstrip about the twenties with the sound turned off.

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STRATEGY	LEARNING ACTIVITIES
II. Raising Questions	As a result of the introductory experiences the class should be able to raise from forty to sixty questions concerning the forces which led to calls for change and stability in relation to the five documents (or portions of them) considered in this unit. The following is suggestive for the type of questions which can lead to fruitful individual or group investigation. Each one of the question refers to a different document.

1. What proportion of the people actually sought separation from Great Britain and was there a "straw that broke the camel's back?"

2. Why did the Articles of Confederation remain in effect for so short a period of time? Who resisted other governmental designs and why?

3. Is separation of powers a reality? Is it really necessary? Why did the people demand such a scheme?

4. What group of people called for the BILL OF RIGHTS? Why? Does this have any meaning for us today?

5. What conditions are necessary to bring about an amendment to the Constitution? What forces oppose amendments? How are support forces mobilized? Can government enforce an unpopular law?

The class under the guidance of the teacher, can refer to the introductory presentation and the general knowledge of the students to get them to probe more deeply into the various areas. The main focus, however, must be kept in mind. The problem is to consider the forces for desiring stability or consider the retention of the status quo and those calling and mobilizing for change.

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STRATEGY	LEARNING ACTIVITIES
III. Categorizing Questions	The introductory activities have been suggested to stimulate student structuring of their own learning in the unit. Since the eleventh grade units are presented in case-studies, the questions raised will be categorized deliberately to pertain to a particular section of the study. The teaching strategy is presented to allow for groups of students to conduct concurrent studies of the five documents. The teacher, however, may use his own discretion in sequence of activity and teaching strategy and may choose a format which allows for lectures, individual investigations, etc. For convenience in locating the sections of the unit which refer to each case study the pages are color-coded as follows:

TOPIC	COMMITTEE	COLOR-CODED PAGES
Declaration of Independence	A	Pink
Articles of Confederation	B	Green
The Constitution	C	Yellow
The Bill of Rights	D	Blue
Prohibition	E	Pink

STRATEGY	CONTENT	MATERIALS

V. Information Retrieval Activities

The following activities are designed to suggest a variety of ways pupils can derive their own information from sources. The activities may also suggest ways of developing interesting ways to report information to the class.

All Committees

1. Committees determine the scope of their tasks.
2. Committees assign different aspects of their work for investigation.
3. Individuals research their assigned problems.
4. Data are organized by individuals and the committees.
5. Presentation to the entire class by the committees.

A. For pupils to obtain answers to their own and group questions.

Suggestions for basic research activities:

1. Get books at the school or local library.
2. Use American Heritage or other historically oriented magazines.
3. Consult the Readers' Guide to Periodical Literature for current articles about the topic.
4. Consult encyclopedia mainly for "leads" to other sources.
5. Find interpretive writing about the topic in political science sections or in essays.
6. Locate maps which show the United States during the early periods.
7. Find reproductions of the original documents.
8. Locate a classmate or schoolmate who has seen or perhaps have slides or reproductions of the original documents.
9. Listen to recordings to find early patriotic songs which express the ideas written into the documents.
10. Collect newspaper and magazine articles that illustrate the right to exercise our rights.
11. Plan an imaginary trial in which the accused is denied all his rights.
12. Write a questionnaire to use in taking a poll of the school to see what students should expect with regard to school administration.
13. Make a montage or collage picture illustrating the topic.
14. Prepare a list of the rights of citizens found in the Constitution or Bill of Rights and put it on either a transparency or ditto.
15. Visit a local courtroom and note specifically how the rights of the accused are protected.
16. Preview films or filmstrips to see if the data you need are available.
17. Make a graph of the actions and reactions that led to the writing of the document you are studying.

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STRATEGY		CONTENT	MATERIALS
V.	Information Retrieval Activities	18. Look for reviews of the movies about Al Capone and the television shows about Elliot Ness to get background about the Prohibition era.	
		19. Try to find old newspaper or magazine articles about the 1920's which relate to prohibition or repeal.	
All Committees		20. Read biographies of Franklin Roosevelt, Herbert Hoover, and Calvin Coolidge to find thepolitical aspects of the prohibition question.	
A.	For pupils to obtain answers to their own group questions.	21. Read about the Jazz age and the way youth of that day reacted to prohibition.	
		22. Organize a panel discussion or debate about legal prohibition of the use of drugs.	
		23. Collect cartoons about prohibition. Xerox them or put them on transparencies.	
		24. Interview people who experienced the Prohibition era to get their impressions.	
		25. Write a skit about bootleggers and speakeasies.	
		26. Interview a local judge (a federal judge would be even better) to find out his opinions about individual liberties.	
		27. Invite a lawyer to meet with you and later with the class to discuss the rights of Americans and how they are secured. Be sure to plan your questions before you interview him. Tape record the talk.	
		28. Visit the local newspaper and find out how the editor feels about freedom of press.	
		29. Ask someone from the American Civil Liberties Union to discuss with you (and also later with the class) the role of his organization in helping secure civil liberties. Use a tape recorder.	
		30. Visit your police station and inquire about the new rights of prisoners. Put your interview on tape to play later to the class. Take pictures of the people you interview.	
		31. Visit the NAACP headquarters and interview someone there about the rights of Blacks and the role of NAACP in aiding people who need help. Invite them to send a speaker.	
		32. Plan a panel discussion about "Rights and Duties of Citizens".	
		33. Write a skit about your topic. It might be a scene from history showing how debate about the document went, or it might be a modern illustration of some principle (such as "all men are created equal").	
		34. Write an imaginative story about what life would have been life if: a. The colonies had never been freed. b. The Articles of Confederation were still our form of government. c. Some other rights that you think might be put into the Constitution.	

Let this list be only a beginning of the clever ways you can think of to investigate the topic and make an interesting report to the class.

BRAINSTORM YOUR OWN THING!

STRATEGY	CONTENT	MATERIALS
V. Information Retrieval Committee A Declaration of Independence	Change and Stability through the Declaration of Independence I. The events which led to Declaration A. Causes of discontent: 1. Trade acts enacted in England a. Navigation Act 1651 b. Enumerated Commodities Act 1660 c. Staple Act 2. French and Indian War a. Many British troops sent to America 3. Writs of Assistance a. General search warrants permit British to search for smuggled goods. 4. Proclamation of 1763 a. Prohibited settlement west of Appalachians 5. Sugar Act 1764 a. Taxed imports to Colonies from West Indies-- 6. Currency Act 1764 a. Prohibited issue of paper money in colonies 7. Declaratory Act a. British Parliament declared it could tax colonies any time 8. Townsend Act a. Taxes on imports of glass, tea, paper, lead, etc. B. Americans React to oppression 1. Smuggling--avoid import tax 2. Denounced use of Writs of Assistance 3. Stamp Act Congress 4. Boycott English products 5. Boston Massacre 6. Organized Committee of Correspondence 7. Boston Tea Party 1773 C. British react to American opposition 1. Intolerable Acts 2. Boston port closed 3. Took Massachusetts charter away 4. Quartering Act	American Revolution--Crisis of Law and Change--Harvard Social Studies--p.6

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STRATEGY	CONTENT	MATERIALS
V. Information Retrieval Committee A Declaration of Independence	D. Americans reaction increases 1. Continental Congress a. To consider united efforts of resistance 2. Declaration of Rights and Grievances 3. Association for boycott 4. Formed Committees of Safety in Colonies 5. Battle of Lexington and Concord 1775 6. Second Continental Congress 7. Committee on Independence to draft Declaration	Larabee: Road to Independence--MacMillan, p. 72

II. Declaration of Independence
- A. Advocates of status quo
  - 1. Most Americans only wanted to secure their rights as Englishmen
    - a. Proud to be citizens of Empire
    - b. Independence only could be won by war. Feared colonies would be defeated.
      - (1) three million Americans vs ten million English
      - (2) thirteen separate governments
      - (3) fifteen hundred miles of vulnerable coastline
      - (4) England most powerful naval power in world
      - (5) Colonists had no Navy, no Army, no wealth
      - (6) Towns unfortified, lacked military weapons
      - (7) Viewed declaration as treason
- B. Americans seek Independence
  - 1. Thomas Paine "Common Sense" pamphlet
    - a. Sold over 300,000 copies
    - b. Converted many to seek Independence
  - 2. The document
    - a. Preamble based on Locke's ideas of right of men to life, liberty, and pursuit of happiness.
    - b. Government based on consent of governed.
    - c. Right of people to change or abolish government where it is unjust
    - d. List of grievances.

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(1) Standing armies among us without consent
(2) Military superior to civilian power
(3) Quartering of troops
(4) Cutting off world trade
(5) Taxes without consent
(6) Depriving of trial by jury
(7) Carrying Americans off to be tried
(8) Abolishing governments in colonies
(9) Suspending colonial legislation
(10) Taking away Charters
(11) Waging war against colonies
(12) Refusing to accept Petitions for Redress
(13) British ruler a tyrant

e. The document as a political statement
(1) Authority of state derived from governed--government by consent of governed
(2) Right to change or overthrow unjust government
(3) Purpose of government to assure individuals right to pursue happiness--and to protect life and liberty.
(4) Principles were later embodied in constitutions of the states.
(5) Marked the beginning of the idea of government by popular sovereignity rather than monarchy
(6) If people are free to create their own governments they will create those that guarantee freedom.

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STRATEGY	CONTENT	MATERIALS
V. Information Retrieval Committee B Articles of Confederation	I. Events leading to Confederation A. Colonial governments collapse by 1776 B. Only local governments left to maintain order C. Second Continental Congress urges colonies to organize new government. 1. Most colonies form new governments with written constitutions. 2. Constitutions embody principles of Declaration of Independence. 3. States adopt governments of laws not of men. a. Separation of powers among departments b. Separation of church and state. c. Most provided for taxation. d. More humane treatment of criminals. e. Many states opposed slavery, importing of slaves stopped. II. Articles of Confederation A. Need for unity--strong central government needed. 1. Proposal for confederation sent to Continental Congress a. Adopted by them in November 1777 B. Provisions 1. Confederation of "free and independent states" 2. Each state had one vote in the Congress. 3. Congress to be the governing body. C. Adopted in 1781 after all states agreed to surrender claims to western land. D. Land problem settled by Ordinance of 1785 E. Northwest Ordinance of 1787 contributed to growth of democracy. 1. Encouraged general education. 2. Slavery prohibited in territory 3. Provided for orderly formation of states and franchise of the people. F. Weaknesses 1. Central government too weak a. "on paper" central government could coin money, create post offices. b. States insisted on own rights. c. Delegates to Congress had no real authority. d. Smallest states had same vote as largest. e. Nine states must affirm in order to do anything. f. All states had to approve any change.	Rise of the American Nation Todd & Curti-- Harcourt, Brace, World, p. 181

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V. Information Retrieval

Committee B

Articles of Confederation

g. No executive provided to enforce measures passed by Congress.
h. Congress could not levy taxes nor compel states to pay its expenses.
i. No actual control of money.
j. Congress could not control interstate commerce.
k. Government could not regulate foreign commerce.
l. Could not enforce treaties.
m. Congress could not raise an army or navy.

G. Reaction to weakness of central government led to demand for change.
1. Merchants knew that business could not develop in chaotic conditions.
2. Manufacturers and workmen knew that regulation of commerce was needed.
3. Settlers in the western lands needed protection from Indians, and needed lawful orders in the territories.

III. The Articles of Confederation as Change
A. Reaction of colonists against strong rule of British government.
1. Feared abuses of too strong central government.
2. Saw states as democratic—legislatures as the voice of the voters.
3. Feared power of executive, preferred the group power of a Congress.
B. Forces favoring stability
1. Conservatives favored a strong central government.
C. The political questions
1. The division of powers between the central and state governments.
2. The location of sovereignty.
3. The Articles of Confederation were seen as the Constitutional expression of the declaration of independence in that they disavowed a strong central government with its possibilities of arbitrary tyranny, and chose to make the people sovereign in the form of the state legislatures.
D. This marks the early emergence of the "states rights" problem. In the earliest formal government of the United States, "states rights" were supreme.
1. Advocates of "states rights" were the radicals of that day.
2. Today roles have reversed, and "states righters" are the conservatives.

The Articles of Confederation--
Merrill Jenson
Univ. of Wisc.

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STRATEGY	CONTENT	MATERIALS
V. Information Retrieval Committee C Constitution	I. Events leading up to the adoption of the Constitution A. Attempt to revise the Articles of Confederation failed B. Change finally originated outside the system, as a result of conferences about problems of commerce. It became evident that there were more problems than those of commerce. Madison and Hamilton were the movers behind calling a convention to write a new Constitution. II. The Convention A. Areas of agreement 1. Revision of Articles of Confederation not sufficient 2. No section of country or state must be able to dominate the others in the new government. 3. Sovereign power must rest with the voters--republican form of government. 4. Separation of executive, judicial, and legislative powers needed. 5. Property rights had to be protected. 6. Government must be strong enough to enforce its decisions, to raise armies, to regulate internal affairs and to conduct foreign affairs for the nation. 7. Provision must be made for change without requiring total agreement. 8. Enforceable powers of taxation were necessary. 9. An executive would be needed to carry out the decision of the legislature. B. The Virginia Plan 1. Largest and wealthiest states would control the legislature. 2. Legislature would have power to determine extent of its own authority as well as that of the states. C. The New Jersey Plan 1. Strengthening of the Articles of Confederation to give more power to central government. 2. Preserved the equality of votes between all states. 3. States would control the central government. 4. Favored by small states. D. The Great Compromise 1. Equal votes for each state in Senate 2. Proportional vote in House of Representatives. 3. Slave to count as 3/5ths of person. 4. All appropriations to originate in House of Representatives.	

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STRATEGY	CONTENT	MATERIALS
V. Information Retrieval Committee C Constitution	III. The Constitution as change in system (from the Articles of Confederation) A. Federalism established 1. Constitution "the supreme law of the land". 2. Powers of Federal government enumerated, and provision made for enforcement. 3. Process of amendment provided for possibility of future revision. 4. Apportioned representation in Congress. 5. Power to lay and collect taxes. 6. Power of central governments to regulate internal and external commerce. 7. Provision for Federal courts. 8. Power to raise and equip army and navy. 9. Establishment of executive. IV. The debate over ratification A. Arguments against adoption (Anti-Federalists) 1. Too much federal power, states asked to surrender too much power. 2. Voters lack control over the men who run the government. 3. Too many men likely to be excluded from voting by state rules of property owning or religious affiliation. 4. President to be chosen by electors, not by voters. 5. Senators to be chosen by state legislators, not by voters. 6. No bill of rights--the main objection. B. Opponents of the new Constitution and their methods 1. Richard Henry Lee (Virginia) published <u>Letters of a Federal Farmer</u> a. Said that the Constitution was undemocratic because it would place the majority under minority control. b. The rich would control. He called them the "natural aristocracy". c. The Anti-Federalists were more concerned about democracy than the Federalists were. d. They had a slight majority sentiment on their side in the beginning. 2. Other Anti-Federalists were Governor Clinton of New York and Patrick Henry. a. Under the name "Cato" Clinton published newspaper articles against the Constitution. b. Both Clinton and Henry objected mainly on local grounds, they did not want their states to be absorbed into a union.	

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STRATEGY	CONTENT	MATERIALS
V. Information Retrieval Committee C Constitution	C. Advocated of the new Constitution--The Federalists 1. Hamilton, Madison, and Jay--authors of The Federalists a. These three men wrote 85 articles for New York newspapers giving the viewpoint of the pro-Constitution thinkers. b. Published also in book form, they became the basis of the Federalist argument. c. Insisted on the need for a strong central government to assure the survival of the nation. d. Tried to show that under the Constitution the powers of the government would not be extensive enough to be dangerous. e. Said that controls, such as Supreme Court review of Congressional actions, would keep central government from getting too much power. V. The Constitution provides for change in the future A. Constitutional revision made possible 1. Two ways provided for proposing amendments a. Two-thirds vote of both houses of U.S. Congress. b. National convention called by Congress when requested by two-thirds of the state legislatures. 2. Two ways provided for ratification. a. Legislatures of three-fourths of the states. b. Special conventions called in three-fourths of the states. 3. Process is relatively difficult, but much easier than under Articles of Confederation, which required the assent of all the state legislatures. VI. The Constituion provided individual rights that protected men against the tyranny of the government. A. The privilege of the Writ of Habeas Corpus shall not be suspended, except in cases of rebellion or invasion when the public safety requires its suspension. (Article I, Section 9, Clause 2) B. Congress may pass no bill of attainder. Neither may Congress pass an ex post facto law. (Article I, Section 9, Clause 3).	

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V. Information Retrieval

Committee C

Constitution

C. Except in impeachment cases, any trial for crime shall be decided by a jury. The trial must be held in the state where the crime took place. (Article 3, Section 2, Clause 3)

D. Treason shall consist only of making war against the United States or of helping enemies of the United States. No one shall be convicted of treason unless two persons testify that they witnessed the act, or unless the accused confesses in court. (Article 3, Section 3, Clause 1)

E. Congress shall have the power to declare the punishment of treason, but the punishment cannot extend to the families of descendants of a person found guilty of treason. (Article 3, Section 3, Clause 2)

VII. The Constitution as a living document.

A. "The American Constitution has survived more tests and trials than any other written constitution" (Current et al p. 115)

1. Deliberately brief and general, not detailed.
2. Planned to be flexible so that it could be adapted to meet the needs of the developing country.
3. Much left to the interpretation on the legislatures and the courts.
4. Interpretation rather than amendment shaped the use of the Constitution.
   a. Did not specifically provide for executive departments. Washington's administration established departments of State, Treasury, and War, as well as offices of the attorney-general, and the postmaster general.
   b. The judicial system was not specifically delineated, so Congress set up the system of Federal courts by legislative action.
   c. The Constitution did not specifically prescribe judicial review, so Congress legislated on the subject to set up the system of review.
5. The writers of the Constitution set up a dual system of sovereignty dividing the power between the federal and the various state governments, but they left a large area of the specifics to be decided later as the relationship between the two entities was clarified.

B. "It is because of this capacity for growth and adjustment to changing circumstances that the Constitution has endured from the age of the stagecoach and post rider to that of the airplane and atomic power. By means of general expressions, such as the "elastic" and "general welfare" and "necessary and proper" clauses, the Fathers made it possible for the enumerated powers of Congress to be expanded."
Malone and Rauch, p. 246

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STRATEGY	CONTENT	MATERIAL
V. Information Retrieval Committee D Bill of Rights	I. Background A. The Declaration of Independence is a document listing the abuses of the British government against the colonies and against individuals. 1. Specific abuses listed (Committee A). 2. A philosophy of government for the benefit of all individuals. 3. The stated right of people to change or overthrow any government which does not rest on consent of the governed and govern in the best interests of those governed. B. Refer to Magna Carta C. Fight for ratification of the Constitution 1. Main opposition to the strengthening of the central government was that there was no bill of rights to spell out the limits of the right of the central government to act upon the individual. 2. Men who wrote the Constitution did not oppose the idea of a bill of rights, they considered it unnecessary because the powers of the central government had been enumerated and they could not encroach on the rights of the individual. 3. Many states ratified the Constitution only with the understanding that a bill of rights would be added as soon as the Congress would be assembled. D. The writing of the Amendments 1. Under leadership of James Madison twelve amendments were presented to the first Congress. The ten that passed are known as the Bill of Rights, although only eight actually deal with individual rights. II. The Bill of Rights as protection for individual freedom A. The right to advocate any view (Amendment I) 1. The right of freedom of speech and press. 2. The freedom of religion. 3. The right of peaceably assembly. 4. The right to petition the government if treated unfairly. B. The right to security 1. The right to bear arms 2. Protection against unreasonable search and seizure 3. Requirement of a warrant obtained for "probable cause".	

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STRATEGY	CONTENT	MATERIALS
V. Information Retrieval Committee D Bill of Rights	C. Rights of accused persons 1. Grandy Jury must consider evidence and decide that a trial is warrant before anyone can be brought to trial. 2. No one can be tried twice for the same crime. 3. No one can be compelled to testify against himself. 4. Must be confronted with reason for trial, witnesses against him. 5. Right to summon witnesses in his defense. 6. Assistance of counsel. 7. In lawsuits involving things valued at more than $20, right to a jury trial. 8. Can't be required to pay excessive bail, excessive fines, or undergo cruel or unusual punishments. III. Bill of Rights illustrates change by consensus A. States demanded it be written as condition of ratifying constitution. B. No group opposed it. C. Bill of rights protects citizens against punitive acts of their own government. IV. Judicial Interpretations A. Committee may investigate Supreme Court decisions which have interpreted and delineated rights of citizens. 1. Free speech 2. Freedom "from" established religions 3. Rights of accused B. Consider how some recent legislation appears to impinge on rights 1. Trials for "conspiracy". 2. No-knock searches 3. Stop and search procedures	

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ST.	CONTENT	MATERIALS
V. Information Retrieval Committee E Amendments	Note: This is a study of just two amendments to the Federal Constitution. The Eighteenth, or Prohibition Amendment, and the Twenty-first, or Repeal of Prohibition. These have been chosen because they represent an attempt to legislate nationally about personal morals. The legislation was the result of relentless social and political pressure by interest groups. Enforcement was impossible and the resultant contempt for law and law enforcers brought the nation to a low point in corruption and violence. The long term results of this acceptance of criminality and contempt for law enforcement are felt today, and the question of legislating personal habits is still a live issue.	

I. Background of Prohibition
   A. Early American protestant ideas of morality.
      1. Puritan ideas of strict control of community morality.
      2. Protestant beliefs that matters of personal conduct and decorum were important aspects of Christian living.
      3. Ideas that gaiety, levity, and uncontrolled conduct were not appropriate to "serious" Christians.
   B. Reformers seek to "protect" others from vice — Furnas, J.C. The Life and Times of the Late Demon Rum
      1. Protestantism strong in middle America in early nineteenth century.
      2. Sunday school movement begins in churches with aim of teaching the young to read the Bible, later becomes bias of laymen's movements of reform.
      3. Reform movements directed at uplifting the "lower classes". Most of the reformers were middle or upper middle class, white, anglo-saxon Protestants (Now characterized as WASPS). — Sinclair Andrew Prohibition
         a. Large numbers of immigrants from Europe had come to America to work in factories. Most lived in large cities.
         b. Germans, Italians, etc., brought with them their social habits of drinking at a neighborhood spot (saloon) which was frequented only by men.
         c. Many immigrants were Catholics, and drinking was not proscribed.
         d. Life was hard and many men did react to it by over-drinking.
         e. The saloons became the centers of prostitution and crime.

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C. Growth of the Prohibition movement
1. WCTU--Women's Christian Temperance Union. An organization formed to publicize the evils of drink and to urge total abstinence.
a. Ladies held meetings at which the evils of drink and of alcoholism were elaborated upon. They wrote articles, poetry, hymns to spread their views. They also paraded and demonstrated.
b. One aim was to get individuals to "sign the pledge" that they would never touch liquor.
2. Anti-Saloon League. Membership both male and female.
a. Members of clergy, Sunday schoolers, reformers organized to get rid of saloons, which they identified as the centers of all vices.
b. The most powerful lobby and agency or political action for the
c. Carry Nation--the best remembered of the crusaders against saloons. Mrs. Nation was probably psychotic, but her zeal against saloons made her famous.
(1) She would go into a saloon with a group of her female followers and literally smash the place up.
(2) Her ladies used iron crowbars, stones wrapped in newspapers, and she used a hand axe to smash bottles and furniture.
(3) When arrested, she and her followers would sing hymns and preach in the jails until they were released. (Note: At about the same time, first wave of Women's Lib was operating--Ladies who wanted the vote for women were also demonstrating in the streets and getting arrested. One cartoon shows policemen with the heads of pigs arresting women demonstrators. (Nothing is new) Carry Nation did not arouse enthusiasm for the Anti-Saloon cause, but she did get wide-spread publicity.
d. The Anti-Saloon League went into politics, especially in Ohio.
(1) In 1904, they were able to throw so much support to "dry" candidates that they became a powerful force in politics.
(2) Every candidate for public office from then on had to declare himself "wet" or "dry"--and many drinking politicians came out publicly against the Demon Rum.
e. The League founded a publication house in Westerville, Ohio from which they issued many papers and pamphlets setting forth their views.

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f. The league furnished speakers for Protestant churches and for clubs.

3. Prohibition Party formed and entered into local, state, and national elections.

4. During the early years of the twentieth century, the drys got more powerful
   a. Anti-immigrant, anti-Catholic, anti-Negro bias of WASPS.
   b. Contrast between life styles of Upper-middle and Lower-classes.
   c. Endorsement of "Dry" views by American Medical Association and General Federation of Women's Clubs.
   d. Industrialists heavy contributors to "Drys" because heavy drinking by workers resulted in absenteeism.

5. World War I makes prohibition patriotic
   a. Drys get liquor banned for servicemen:
   b. Prohibition in U.S. in selected areas and in several states.
   c. German beer drinkers--everything German anathema to patriots.
      (1) 1919 Senate Report disclosed that brewers had bought large sections of the press, influenced campaigns, and formed secret political organizations. They had subsidized the banned German-American Alliance.
      (2) These disclosures were so sensational that passage of Prohibition was assured.

II. Political action to get the Eighteenth Amendment
   A. Strategy of the Prohibitionists
      1. Every candidate for political office had to declare himself on the side of Wet or Dry, and this became the over-riding consideration of voters, especially those in the small towns and on farms.
      2. By 1919 Drys had majorities in almost every legislature. Moderates who realized the dangers of legislating morality were simply overwhelmed.
      3. Proposal was urged in Congress by a strategy that seemed to put the burden of decision on the people, not the Congress.
         a. Congressmen told that voting for the proposal would assure a national referendum on the question so that it could be settled once and for all. Wets never believed states would accept it, so they didn't fight it.

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V. Information Retrieval

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b. The war time shortage of grain made it seem unpatriotic to use grain to make liquor.
c. The Anti-Saloon League was the most powerful lobby in Washington for twenty years after 1913.

4. Underwood of Alabama warned, "The tyranny of corruption will be replaced by the tyranny of reform."
5. State legislators were told "It's the will of the U.S. Congress," a clever change in strategy of the Dry forces. It worked and the Amendment was ratified in fourteen months.
6. If you want to go into it more deeply there is some interesting information and pressures put on President Wilson and some reports on Bryan's activities in behalf of Prohibition. (See Sinclair)

III. Implications

A matter of personal morality had been enacted into Constitutional law for the first (and only) time. Previous Constitutional law had been directed against abuses of the federal or state governments, and were designed to protect individuals or politics from tyranny. This amendment was by its nature unenforceable. Even the proponents did not expect it to end the use of drink, but they hoped that it would lessen the abuses of liquor and cause a revolutionary decrease in consumption of alcohol.

IV. Results of Prohibition

A. Enforcement--understaffed and poorly staffed

1. Prohibitionists voted for the law, but did not vote money for enforcement.
2. Agents were hired on "spoils system" basis, were not trained, and were generally incompetent. Salaries were lower than garbage collectors and bootleggers offered as much as a million dollars as bribes. Many agents became corrupt.
3. The Customs and Coast Guard were given the duty of catching smugglers. Smuggling was so wide-spread that only a small percentage could be caught.
4. Canada became source of supply, a thousand miles of unguarded borders made smuggling easy.
5. Liquor was sent to the West Indies and then run in on fast boats. These were too numerous to catch, and often bribes were paid to let the rum-runners pass.
6. Courts became clogged with liquor enforcement cases. Within six months the Chicago courts were hopelessly congested--600 trials pending.
7. Prisons filled up with violators of the Prohibition laws, and new prisons had to be built.

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9. Many cities and states were opposed to prohibition, and their law enforcement organizations worked against it.
10. Izzy Einstein and Moe Smith, enforcement agents, made the whole thing seem ridiculous by seeking publicity. When they went to raid they would dress in costumes or carry "props" so as to appear to be harmless. They called the news reporters and generally made a show of their activities. They may have been among the few honest agents.

B. Scandals increase and corruption spreads.
1. Harding's "Ohio Gang" dealt in "protection" to bootleggers, pardons and parole for cash, and prosecutions dropped for a price.
2. Bootleggers often in open warfare with each other over territories. Murders common and usually uninvestigated. Many agents shot, and even many innocent people killed in the gangland style warfare.
3. Finally, organized crime took over and territories were staked out by gangs.
   a. Al Capone, Chicago, completely controlled the city. He had both the mayor and all alderman, and all law enforcement and judicial officeholders.
   b. Bootleggers performed a service and considered themselves to be business men. Their customers were the respectable people, and the criminals did not consider the seller more guilty than the buyer.
   c. (Capone made between $60 and $100 million a year on beer alone)
   d. There was so much money in bootlegging that the sellers could afford to offer bribes no one could resist.
4. Respectable people did not obey the laws. There was more drinking than before and different people began to drink.
   a. Liquor consumption increased by at least 10% during prohibition.
   b. Women began to drink as it became "fashionable."
   c. Saloons were replaced by "speak-easies".
   d. More people began to drink hard liquor, and it became quite the thing to be "stoned blind" rather than just to take a drink or two.
   e. The prices of drink went so high that the lower classes could not afford liquor, but the well-off could and did. Bootleggers even delivered to the homes of the wealthy

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STRATEGY	CONTENT	MATERIALS
V. Information Retrieval Committee E Amendments	V. Sources of liquor--a move from legitimate business to illegitimate A. Imported liquor 1. Canada 2. West Indies 3. Accounted for five to sixty million gallons per year. B. Industrial alcohol 1. Legal to make during prohibition but supposed to be only for industrial use. 2. Fifty to sixty million gallons diverted to illegal use. 3. Prohibition Bureau wanted to make it unusable as a drink so that they added various chemicals to it, including poisons--leading to a reaction of horror in the people, and an outcry against reformers who tried to prevent evil by murdering those they would save. 4. Forged labels and bottles, "bath tub gin" a. Industrial alcohol plus glycerine and oil of juniper made "gin" b. Industrial alcohol plus caramel, creosote, and prune juice made "scotch" 5. In 1925 to 1929, forty people per million died every year from poisoned liquor. 6. Wood alcohol made people blind and even killed. (Blind drunk wasn't just a phrase.) C. Moonshine--make mostly in the Appalachian Mountain region in illicit stills. 1. A blend of sugar, water, yeast and garbage--the more juicy the garbage the better. Rotten meat or dead rats added to give it kick. 2. 70 million gallons per year were made and sold. D. "Alky cookers"--home brew 1. Finally people began making beer, wine and "home brew" in their own homes. 2. At this point there was no further hope of enforcement. 3. Slum dwellers in Chicago could buy corn sugar and yeast enough for a gallon for 50¢. They sold the gallon to a distributor for $2.00, he sold it to a speakeasy for $6.00, and the speakeasy owner got $40 a gallon at the rate of 25¢ a drink. 4. Some names of this type of booze--"Panther and Goat Whiskey, Jackass Brandy, White Mule, White or Black Lightning, Yack Yack Bourbon, Soda Pop Neon, and Straightsville Stuff." VI. Enforcement efforts erode American liberties A. Search and seizure abrogated B. Search warrants not needed to search autos C. Padlocking without trial. Agents could padlock a place where liquor was sold for twelve months. Many businesses were unfairly wiped out this way.	

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D. Double jeopardy. A person could be tried for the same offense by the state and the federal government.
E. Use of wire tap began in order to catch criminals, and it was approved by the Supreme Court.

VII. The Eighteenth Amendment lowered respect for all forms of law enforcement.
A. Courts, judges, policemen, federal agents, all were disliked and ridiculed for attempts to enforce the law.
B. Elihu Roots said, "It will take a long time for our country to recover from the injury done by that great and stupid error in government." (1933)
C. A large part of the people were made allies and clients of law breakers.
D. The crime syndicate was strengthened to a great degree by the vast income and by public support during Prohibition. This has enabled organized crime in the United States to become the strongest in the world and to rival the power of the government.

VIII. Reaction against Prohibition leads to Repeal.
A. Wets gain support among the voters
1. Obvious failure of enforcement led to disgust with corruption.
2. Gangland warfare and corruption of public officials brings reaction.
3. Widespread use of liquor and acceptability of use by respectable people.
B. Influential people advocate repeal.
1. Nicholas Murray Butler, President of Columbia University, said that he felt about Prohibition as his parents did about slavery and that he would not rest until the laws were off the books.
2. S.L. Lowell, President of Harvard, called it a "distinct moral detriment".
3. Some advocated drinking openly to defy the 18th amendment and to show that it was unenforceable as the only way to get rid of "obsolete and unenforceable law."
4. This amounted to counter-revolution by illegal means.
5. Many lawyers advocated repeal in order to restore respect for the law.
6. In 1930, Elihu Root wrote: "Compulsion through the law creates revulsion. You cannot make man just through the law, you cannot make man merciful through the law, you cannot make man affectionate through the law."
C. The Great Depression adds to the pressure for Repeal--Arguments for Repeal.
1. If the brewing and distilling industries could be restored, it would make jobs for a million men.
2. Agricultural depression. If use could be made of the grain, it would help farmers.

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3. Money spent on enforcement and imprisonment of violators of Prohibition could be better spent.
4. Federal government needed revenue from liquor taxes. It was suggested that these would replace the high income taxes paid by the wealthy, and this won their support of repeal.

H. Political action for repeal.
1. Wickersham Report to Congress shows that Prohibition is not enforced or observed.
2. Rhetoric in Congress shows that roles and attitudes have reversed.
   a. The Wet appeals of 1932 were the Dry appeals of 1917.
      (1) Where the Drys had cried out for unity in time of war now the Wets cried out for unity in time of great depression.
3. The Wets pleaded that the Constitution must be unchangeable. Congressman Bech found it strange that the Wets should maintain that the Constitution was unchangeable, when they themselves had written the Eighteenth Amendment into the Constitution and thus had destroyed the basic American principle of self-government.
4. The Democratic Party became more and moreidentified with Wets, and Hoover and the Republican Party with the Drys.
5. Various states repealed the enforcement legislation, which makes them stop sharing the federal government's responsibility.
6. The Drys were just as fanatical about repeal as the Wets had been about Prohibition. Nothing would suit them but total repeal of all controls on the manufacture and use of intoxicants.
   a. No regulatory agency was planned to control the liquor industry.
   b. Each state and community was left to work out its own solution.
   c. Sweden had regulated the liquor industry in such a way that the profits were returned to the government for use in welfare projects. This was not adopted nor anything like it.

IX. Results
A. Today America has about five million alcoholics, partly as a result of total lack of control by government of this powerful industry.
B. Income taxes for the wealthy did not decrease, because costly New Deal programs took up the slack and more.
C. Farmers did not profit as a result of repeal, for the illicit profits during prohibition were not matched after repeal.

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D. The Supreme Court had ruled that bootleggers owed income tax on their illicit profits. (It was income tax evasion that finally caused the imprisonment of bootlegger, Al Capone).
   1. In the argument of this case, it was suggested that bribes paid out to government officials might also be deductable as business expenses.
   2. To this day in Mississippi, the only dry state in the Union, bootleggers pay federal and state taxes on their income.

X. Analysis
   A. Both the Eighteenth and the Twenty-first Amendments were voted during unusual times.
      1. The war hysteria of 1917 was partly responsible for the application of Prohibition, and the depression hysteria of the 1930's for repeal.
      2. Both majorities were obtained by false economic promises, false appeals to patriotism, and false pleas for democracy.
      3. The Eighteenth Amendment was meant to put a sober America to work in winning the war, and the Twenty-first to put a drinking America to work in defeating the Depression.
      4. Both Wet and Dry oratory were equally misleading.
         a. Linthicum said, "Pass this resolution, and depression will fade away like the mists before the noonday sun. The immorality of the country, racketeering, and bootlegging will be a thing of the past."
      5. Congress in both cases accepted simplistic solutions to complex problems.
      6. Just as the Drys had laid every crime at the door of the drink, so did the Wets, also, attribute all problems to prohibition. One Congressman remarked: "Every time a crime is committed, they cry prohibition. Every time a boy or girl goes wrong, they shout prohibition. Every time a policeman is accused of corruption, they scream prohibition. As a result, they are gradually building up in the public mind the impression that prohibition is a major cause of all the sins of society.

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STRATEGY	SUGGESTED REPORTING ACTIVITIES	MATERIALS

VI. Reporting Committee Findings

In addition to oral or written reports, the following activities are suggested to provide variety.

1. Show films, slides or transparencies to illustrate major ideas.
2. Prepare a display of newspaper or magazine articles.
3. Play recordings of "freedom" songs, old and new.
4. If interviews were taped--edit them, and play the best parts for the class to consider and discuss.
5. Invite speakers to visit the class. Provide them with a list of questions to answer.
6. Present a panel discussion or debate on the topic.
7. Show results of your questionnaire about student's rights by making a graph poster.
8. Have the authors read their essays (see activity #9) to class.
9. Present skits (see activity #8 and #26).
10. Display quotations from the documents with news articles showing recent application.
11. Plan a debate taking sides about: The Declaration of Independence, the Articles of Confederation, The Constitution, the Bill of Rights, or the 18th Amendment. (As if you were colonists considering living at the time these documents were being considered. Bring out the dimension of the forces which supported or opposed the changes proposed.)
12. If you found recordings of songs of early America, try to match them with currently popular music and compare and contrast the content of the lyrics and the dimension of the freedoms called for.

Encourage the class to be creative and develop their own interesting ways to present their findings.

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VII. Overview

After reports have been presented to the class, take time to review the major concepts developed by each committee. At this point, consider the original questions raised by the class and the answers that were found or proposed by each committee during its report.

This review may suggest even larger questions to consider as a result of the study. They may be questions of opinion or valuing. Certainly, the right to question or advocate change must arise from a study of the American way of stability and change. Such questions might include:

1. Is protest American? How can you justify your position?
2. What means of protesting have Americans used? Under what conditions have various kinds been employed?
3. What forces are generally present in society to brake the momentum of change? Would our society be bettered if such "brakes" were removed so that new ideas could take hold faster?
4. What forces are generally present in societies to enhance the movement toward change? Should these forces be given greater power? less power?
5. Under what conditions will society change?
6. When are people willing to give up their rights? Under what conditions? What does this mean for the preservation and improvement of life in our nation?
7. Historically, what options have been open to people who believe that their government is no longer responsive to their needs?
8. What changes do you think need to be made in these basic documents or the way they are realized in American life today?
9. Many who learned of the Supreme Court Decision of 1954 declaring segregation in schools unconstitutional claimed "You can't legislate morals." Do you believe this? Why or why not?

These are but some of the questions which the teacher might utilize in probing the depth of understanding of the class. In this phase of the strategy, the teacher and the class are most likely to reap the greatest rewards depending upon how well they explore the basic issues raised in this study.

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IX. Generalizations

1. If the people feel that an institution is impervious to controlled change, they will seek to destroy that institution.

2. Documents serve both as agents of stability and change. As a large constituency supports a document, they will strive to maintain it or to seek to effect it.

3. Documents express the ideals of a nation. The higher the ideal, the less likely it is that reality will measure up to it.

4. Documents serve to express the ideals of a nation and to serve as a standard of comparison between the ideals and the reality. The greater the discrepancy between these, the greater are the potential forces for change.

5. As government becomes stronger, it becomes more important for people to have legal protections of their liberties from government incursion.

6. Attempts to legislate personal morality without widespread public support lead to evasion of the law and disrespect for the entire legal system.

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STRATEGY	CONTENT
IX. Suggested Culminating Activities	1. The class may write a polition paper or a declaration on a school or public issue (such as legalization of marijuana). Follow it through with politicizing and the winning of advocates to your polition. (Be sure to anticipate the consequences of such action. The teacher will probably want to clear this kind of activity with the administration before carrying it through.)
	2. Prepare a debate: "Resolved: The American System demands change through the system rather than from without." Present it before parent or student groups.
	3. Some of the class may choose to prepare an original creative story on "How to Politicize for the Purpose of Procuring the Priviledge of Peanuts in Public Places. This might be a take-off on the facts related to the successful enactment of prohibition legislation.
	4. The class may choose to create a drama in which tow or more persons are discussing current dissention. They could thus present the various polition pro and con dissent utilizing the information they have gained concerning the history of some kinds of dissent in our nation.
	5. Select passages from the Declaration of Independence and/or other basic U.S. documents. Reproduce these in the form of petitions and try to get people to sign them. Keep a record of how many sign, refuse, call the statement "communistic", etc, and the reasons people do not sign. Report these in a creative firmat, perhaps as a true to life playlet in chich your findings are the real lines of the actors.
	6. If the class is "turned on" by sampling, they may want to develop a series of statements, some of which emphasize the desire and need for security and stability and others emphasizing the need and desire for change. After developing these statements, they may present them to a variety of adults to acertain their relative polition.

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Angle, Paul M. ed. An American Reader, From Columbus to Today. Rand McNally, 1958,$6.00
Collection of personal narratives and journals concerning American History written by those who were there.

Belfrage, Sally. Freedom Summer. Viking, 1965, $5.00
Account of author's work with student non-violent coordinating committee in Mississippi. Her activities in voter registration led to her being jailed.

Boarstein, Daniel L. The Genius of American Politics. University of Chicago Press, 1953, $4.00
Describes "the uniqueness of American thought" and explains, after a close look at the American past, why we have produced the political ideas we have.

Commager, Henry Steele. Freedom, Loyalty and Dissent. Oxford, 1954, $3.75
Contents, necessity of freedom, necessity of experimentation, free enterprise in ideas, guilt by association, who is loyal to America.

Commager, Henry Steele. The Heritage of America. Little, Brown & Co., 1949, $10.95
History told by men who saw the scenes they describe. 269 readings in American History.

Commager, Henry Steele. Living Ideas in America. Harper, 1964, $8.50
Organized around documents, speeches and historical accounts, political principles and traditions.

Douglas, William O. An Almanac of Liberty. Doubleday, 1954, $5.95
An entry for each day of the year. Includes selections from speeches, sermons, decisions, documents, illustrating various methods of preserving American freedoms and democratic principles.

Resources (Cont.)

Downs, Robert B. The First Freedom: Liberty and Justice in the World of Books and Reading: Chicago American Library Association, $8.50
Writings on literary censorship and intellectual freedom, famous legal decisions, pressure groups, obsenity, political subversion, etc.

Goldman, Peter. Civil Rights; the Challenge of the Fourteenth Amendment. Coward-McCann, 1965 (Challenge Book), $3.25
An account of the attempts of blacks to get civil rights by marches on Washington, freedom rides, sit-ins, etc.

Handen, Oscar. The Americans: a New History of the People of the United States. Little, Brown & Co., 1963, $7.50
Themes include development of free political, economic, and social institutions, changes in basic ideas and assumptions, and pressures on spiritual and familial forms in American history.

Hoffman, Edwin D. Pathways to Freedom. Nine Dramatic Episodes in the Evolution of the American Democratic Tradition. Houghton Mifflin, 1964, $3.75
Nine historic examples of how people fought for freedom of religion, speech and press, right to rebel against unjust taxes, for negroes to own land, against fugitive slave law, for schools and for labor's right to organize.

Hostadler, Richard. The American Political Tradition: and the Men Who Made It. Knopf, 1948., $5.95
Biographies deal with ideas of Jefferson, Jackson, Calhoon, Lincoln, Wilson, Hoover, Roosevelt.

Ketchum, Richard M. What is Democracy? Dutton, 1955, $4.95
Aims and accomplishments of democracy in protecting the interests of individuals and preserving their dignity.

Morris, Richard B. ed. Great Documents in American History. Van Nosbrand, 1965, (PB $1.45)
America's greatest documents with analyses and evaluation of their importance.

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Resources (Cont.)

Morris, Richard & Woodress, James eds. Voices from America's Past. 3 Vols., $4.95 each.
Vol. I, Colonies & New Nation.
Eyewitness accounts, diaries, memoirs, essays, the raw material of history.

Packard, Vance. The Naked Society. McKay, 1964, $5.95
Author exposes the current invasion of individual privacy, "bugging" devices, questionnaires, concealed T.V. cameras, credit information, files kept about people.

Williams, Edward B. One Man's Freedom. Athenium Pub., 1962, $5.95
A defense attorney specializing in criminal law discusses some cases and his belief that there is growing danger to individual freedom guaranteed under Bill of Rights. Includes Jimmy Hoffa, Adam Clayton Powell, Dave Beck.

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